IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Application No.885 of 2007
In
Criminal Appeal No.721 of 2007

Sarjerao Nivrutti Tope & ors. Applicants
Vs.
State of Maharashtra Respondent

Mr.S.K.Shinde with Mr.Sagar Kusar for applicants.
Mr.P.A.Pol, APP for State.

CORAM: B.H.MARLAPALLE, J.

August 6, 2007.

P.C.

. Heard Mr.Shinde, the learned counsel for the applicants, who are accused nos.1 to 5 and 8 and 9 put on trial in Sessions Case No.25 of 2006 and they have been convicted and sentenced by the learned Addl. Sessions Judge - 1, Niphad as per his judgment and order dated 12/7/2007. The accused no.1 - husband has been awarded R.I. for three years whereas the remaining accused have been awarded RI for a period of six months to one year for the offence punishable under Section 498-A read with Section 34 of IPC. The accused have also been convicted and sentenced for the offences punishable under Sections 506 read with 34, 328 read with 34 and 504 read with 34 of IPC.

. The accused were on bail during trial and as of now the order of sentence has been suspended under Section 389 of Cr.P.C. by the learned Ad-hoc Addl. Sessions Judge-1, Niphad.

. Having regards to the reasoning set out in support of the order of conviction and sentence, this is a fit case to continue the bail granted by the trail Court but on the fresh bonds.

. Hence the application is allowed and the applicants are directed to be released on bail by suspending the order of sentence on the same terms but on fresh bonds.